CITY OF PARKER
AGENDA ITEM SUMMARY

1. *DEPARTMENT MAKING REQUEST/NAME OF PRESENTER:*	2. *MEETING DATE:*
Council/Sloan	**August 20, 2024**

3. ***PURPOSE:***

1. Public Hearing – 2nd Reading and possible adoption of Ordinance 2024-421

4. ***IS THIS ITEM BUDGETED (IF APPLICABLE)***

YES ☐ **NO** ☐ **N/A X**

ORDINANCE NO. 2024-421 AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS (ORDINANCE NO. 2022-409, AS AMENDED) TO AMEND CERTAIN PROVISIONS RELATING TO LIGHT MANUFACTURING; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR THE LIBERAL CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

AGENDA ITEM # 1

NOTICE OF PUBLIC HEARINGS FOR THE ADOPTION OF AN AMENDMENT OF THE CITY OF PARKER, FLORIDA, LAND DEVELOPMENT REGULATIONS

The City Council of the City of Parker will conduct a public hearing in the Council Meeting Room, Parker City Hall, 1001 West Park Street, Parker, Florida, on August 6, 2024, at 5:30 p.m. or as soon thereafter as the issue may be heard in connection with a recommendation of the Planning Commission concerning the possible adoption of the City of Parker, Florida, amendment to its Land Development Regulations in Ordinance No. 2024-421, the header of which is set forth below. Another public hearing of the City Council of the City of Parker to in connection with the recommendation of the Planning Commission and possible adoption of the City of Parker, Florida, amendment to its Land Development Regulations in Ordinance No. 2024-421, the header of which is set forth below, will be held on August 20, 2024, in the Council Meeting Room, at City Hall, 1001 West Park Street, Parker, Florida, at 5:30 p.m. or as soon thereafter as the issue may be heard. Members of the public and all interested parties are invited to attend. The purpose of the Public Hearings is to receive public comments and make decisions regarding the above matter.

During or following the first City Council public hearing, the City Council will consider the possible adoption of Ordinance No. 2024-421 having a first reading of Ordinance No. 2024-421. During or following the second public hearing, the City Council will also consider a second reading and adoption of Ordinance No. 2024-421.

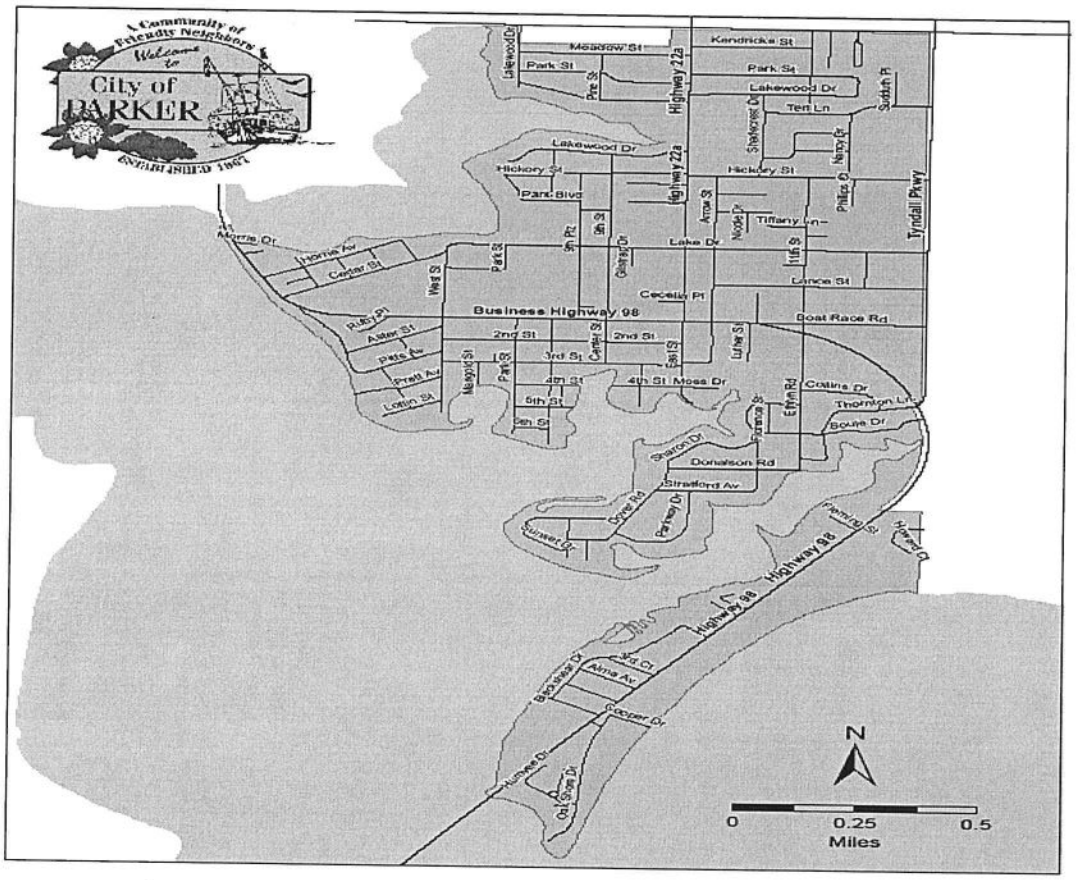
The adoption of the City of Parker, Florida, Land Development Regulations will be accomplished by adoption of the Ordinance set forth by title as follows:

ORDINANCE NO. 2024-421

AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS (ORDINANCE NO. 2022-409, AS AMENDED) TO AMEND CERTAIN PROVISIONS RELATING TO LIGHT MANUFACTURING; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR THE LIBERAL

CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The adoption of the City of Parker, Florida, Ordinance No. 2024-421 will enact certain provisions affecting the use and development of all land within the entire City of Parker, Florida, particularly land in a commercial land use district and including but not limited to land in the Community Development Areas. The proposed ordinance shall affect all land within the City currently designated and designated in the future as being in a commercial land use district as all such land of the City of Parker is depicted on the following map.



All interested parties are invited to attend the public hearings and comment upon the proposed adoption of Ordinance No. 2024-421 (proposed amendment of City of Parker, Florida, Land Development Regulations) or submit their comments in writing to the City Council prior to the date of the Public Hearings. Further information

concerning Ordinance No. 2024-421 (proposed amendment of City of Parker, Florida, Land Development Regulations) can be obtained from the City Clerk at City Hall, at 1001 W. Park Street, Parker, Florida, 32401, or by calling (850) 871-4104, between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday, excluding holidays.

Please be advised that if a person decides to appeal any decision made with respect to any matter considered at these hearings, such person will need a record of the proceedings, and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The City of Parker does not provide or prepare such record pursuant to Section 286.0105 of the Florida Statutes.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in these proceedings should contact the City Clerk at City Hall, at 1001 W. Park Street, Parker, Florida, 32401, or by calling (850) 871-4104, no later than three (3) days prior to the proceedings.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER AS FOLLOWS:

Section 1. Section 4-5.4.3 in the Land Development Regulations ("LDR") is hereby amended follows:

3 Conditional Uses.

a. Light Manufacturing, provided that:

i. In any Subarea of the CRA, the property must have direct vehicular access to a state or federal road or highway without the use of any City streets for deliveries by vehicles having more than four (4) axles such as deliveries of raw materials or finished products.

ii. The total enclosed area of all structures within all properties associated with the light manufacturing business may not exceed ~~22,500~~30,000 square feet.

Section 2. Section 5-9.8.1 of the LDR is hereby amended as follows:

1. Off-street parking spaces shall be provided and established upon the erection or enlargement of any building or structure or upon an increase in the capacity of any building or structure for any purpose, including, but not limited to, dwelling units, guest rooms, floor area, seating capacity, employment or patronage.

No on-street public parking spaces may be used in calculating the number of parking spaces required of any business. Where any business has a designated employment, seating or patronage capacity of twenty-five (25) persons or more, twenty-five (25) per cent of the minimum parking requirements may be satisfied by available off-street public parking facilities provided the availability thereof is on the same side of the block and not separated by a major street or thoroughfare and is located within five hundred (500) feet of the business, provided the parking facility and its access is not interrupted by any fence, walls, or other structure which would

separate the business from the off-street parking area. The measurement from the business to the parking area shall be measured from the entrance of the business to the entrance of the parking facility along the commonly traveled and approved pedestrian walkway or route between the business and the parking facility.

Off-Street parking requirements shall be as follows:

Use	Spaces Required
Dwellings	
Single-family, duplex, cluster or town house dwelling units	2 per unit
Apartment or condominium	1.5 spaces per each efficiency or 1 bedroom unit and 1.8 spaces per each unit having 2 bedrooms or more (plus 1 per each 10 units)
Mobile / Manufactured Home Parks	2 per unit (plus 3 per 300 sq. ft. of service buildings)
Hotels and motels	1 per unit (plus 1 per 5 employees)
Boarding homes and Dormitories	1 per bedroom
Public Assembly	
Church, temple or other place of worship assembly room	1 per 4 seats in main assembly room
Fraternal organization or private club	1 per 300 sq. ft. gross floor area, plus 1.5 per bedroom
Auditorium, theater, gymnasiums or convention hall	1 per 4 seating spaces
Libraries and museums	1 per 500 sq. ft. gross area
Private schools, kindergartens and day care centers	1 per 4 seats in assembly hall plus 1 per classroom
Amusement place, dance hall, swimming pool or exhibition hall	1 per 4 seating spaces or 1 per each 100 sq. ft. of floor or grounds used for amusement or assembly
Bowling alley	5 per alley
Health Facilities	
Hospitals	1.75 per bed
Sanitariums, convalescent homes or similar institutions	1 per 500 sq. ft. of gross floor area
Animal hospitals	1 per 400 sq. ft. of gross floor area
Medical, dental and health offices and clinics	6.5 spaces per 1,000 sq. ft. of gross floor area
Funeral parlors or mortuaries	1 per each 4 chapel seats
Business	
Food stores and drugstores	4 spaces per 1,000 sq. ft.
Commercial, retail business personal services	4 spaces per 1,000 sq. ft.
Business and professional offices	4 spaces per 1,000 sq. ft.

Use	Spaces Required
Banks or other financial institutions	4 spaces per 1,000 sq. ft.
Printing, publishing or broadcasting	4 spaces per 1,000 sq. ft.
Restaurant, lounge or establishment for consumption of beverages on premises	10 per 1,000 sq. ft. of gross floor area
Drive-in restaurants	10 per 1,000 sq. ft. of gross floor area. If the applicant can demonstrate that more than 50 percent of the business will be dedicated to drive-in only customers than 5 spaces per 1,000 sq. ft can be used.
Shopping centers	2 spaces per 1,000 sq. ft. of gross floor area for each square foot up to 100,000 sq. ft., plus 1 space per 1,000 square feet for each square foot over 150,000 square feet of gross floor area
Convenience food stores	6 spaces per 1,000 sq. ft
~~Light Manufacturing with retail component~~	~~4 spaces per 1,000 sq. ft.~~
Light Manufacturing~~ without retail component~~	~~2~~0.8 spaces per 1,000 sq. ft.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Scrivener's Errors. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee, without public hearing.

Section 5. Ordinance to be Liberally Construed. This ordinance shall be liberally construed in order to effectively carry

out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 6. Repeal of Conflicting Ordinances and Resolutions. All other charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Parker in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED at a meeting of the City Council of the City of Parker, Florida on the ____ day of August, 2024.

CITY OF PARKER

_____
ANDREW KELLY, Mayor

ATTEST:

_____
KIMBERLY REGA, City Clerk

Examined and approved by me, this ___ day of August, 2024.

_____
ANDREW KELLY, MAYOR

*In this Ordinance, language added to an existing section is printed in underscored type, and language deleted is printed in ~~struck through type~~.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the website of the City of Parker ("City") by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

ORDINANCE NO. 2024-421

AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATION (ORDINANCE NO. 2022-409, AS AMENDED) TO AMEND CERTAIN PROVISIONS RELATING TO LIGHT MANUFACTURING; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR THE LIBERAL CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with Section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law[1] for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The proposed ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
  a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

[1] See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Ordinance 2024-421 would clarify provisions for light manufacturing within the Commercial Land Use Category of the City. The Ordinance provides more choices in the development of property within the City; thereby, satisfying a public purpose.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are unlikely to be direct compliance costs associated with Ordinance 2024-421. No new charge or fee is imposed by the Ordinance for which businesses in the City should be financially responsible. There may be indirect compliance costs in light manufacturing development. The City may incur increased, indeterminate regulatory costs associated with code compliance. Existing fees and costs may be incurred as a part of code compliance, the amounts are currently not determinable.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Ordinance 2024-421 does not impose any new charge or fee on existing businesses in the City. The City may incur increased, indeterminate costs associated with ensuring compliance. There are no new charges or fees that will be imposed on existing businesses by the proposed Ordinance to cover the City's costs of ensuring compliance.

4. Additional information the governing body deems useful (if any):

The proposed Ordinance 2024-421 is a generally applicable Ordinance that applies to all persons similarly situated (individuals as well as businesses) who might apply for a development order/permit for the construction, development or operation of a light manufacturing business in the City. The estimated number of businesses likely to be impacted by the Ordinance cannot be quantified at this time because the number of businesses likely to be impacted by Ordinance 2024-421 will depend on how many businesses seek to develop property within the City for light manufacturing purposes.

Column

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

Column Software, PBC
331 NW 26th St, Suite 304
Miami, FL, 33127

Before the undersigned authority personally appeared Casey Allen, who on oath says that he or she is an agent of Column Software, PBC; that the attached copy of advertisement, being a legal advertisement or public notice of Display Ad in the matter of Amendment to LDR ORD 2024-421, was published on the publicly accessible website of FL, hosted by Column Software, PBC on

Jul 26, 2024

and that the fees charged are legal.

Affiant further says that the website complies with all legal requirements for publication in chapter 50, Statutes; and affiant further says that he or she has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication on said website.

Notice ID: 1fjIhYpIOuurlK8z9nsf
Publication Fee: $0.00

Casey Allen

Agent

PAMELA BAEZ
Notary Public - State of Florida
Commission # HH 186700
Expires on October 14, 2025

VERIFICATION

State of Florida
County of Orange

Signed or attested before me on this: 08/05/2024

Notary Public

Notarized remotely online using communication technology via Proof.

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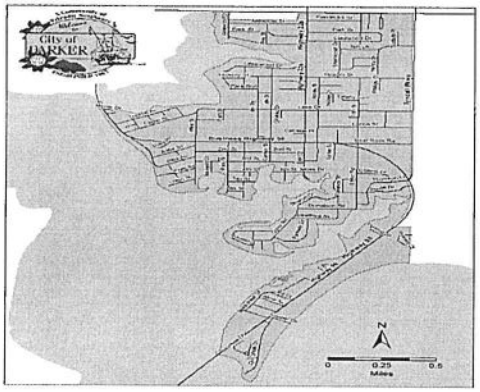
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